

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO et
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER
AUTHORITY (PREPA),

Debtor.

PROMESA

Title III

No. 17 BK 4780-LTS

NINTH REVISED ORDER EXTENDING AND ESTABLISHING CERTAIN DEADLINES
APPLICABLE TO THE JOINT MOTION OF PUERTO RICO ELECTRIC POWER AUTHORITY
AND AAFAF PURSUANT TO BANKRUPTCY CODE SECTIONS 362, 502, 922, AND 928,
AND BANKRUPTCY RULES 3012(A)(1) AND 9019 FOR ORDER APPROVING
SETTLEMENTS EMBODIED IN THE RESTRUCTURING SUPPORT AGREEMENT [ECF No. 1235]

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Upon consideration of the *Urgent Unopposed Motion of Government Parties for Ninth Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922 and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (Docket Entry No. 1844 in Case No. 17-4780 and Docket Entry No. 9659 in Case No. 17-3283) filed December 27, 2019 (the “Urgent Motion”), and the Court having found and determined that (i) the Court has jurisdiction over this proceeding pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); (ii) venue of this proceeding is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a); (iii) no party has objected to the proposed schedule set forth in the Urgent Motion; and (iv) the Court having found good cause to enter the modifications to the schedule requested therein subject to certain adjustments to the proposed deadlines as necessary to facilitate the Court’s preparation for the hearing on the 9019 Motion, it is **HEREBY ORDERED THAT:**

1. The following deadlines shall apply to any person or entity (i) that seeks discovery, (ii) from whom discovery is sought (whether by notice or subpoena), (iii) that objects to the 9019 Motion or to any discovery with respect thereto, or (iv) is a signatory to the RSA: ²

January 10, 2020	Deadline for any objections to deposition counter-designations.
February 3, 2020	Deadline for Moving Parties to file reply briefs and Supporters to file supporting statements.

² Capitalized terms not defined herein shall have the same meaning as set forth in the original scheduling order related to the 9019 Motion (“Original Scheduling Order”) [ECF No. 1253]. All parties in interest reserve all rights to seek relief from this schedule from the Court and to oppose any applications seeking such relief.

February 26, 2020	Deadline for Moving Parties, Objectors and Supports to identify supplemental trial exhibit lists. ³
March 3, 2020	Deadline for Objectors to file sur-replies per ECF 1826.
March 5, 2020	Deadline for filing motions in limine. Parties may seek relief from this deadline upon a showing of cause and that such application shall not result in any delay of the 9019 Hearing Date. The Court retains discretion as to whether to (1) entertain later-filed motions in limine; and (2) set alternative briefing schedules for earlier-filed motions in limine.
March 6, 2020	Deadline for objections to supplemental trial exhibit lists.
March 12, 2020	Deadline for responses to timely motions in limine.
March 17, 2020	Deadline for replies in support of timely motions in limine. Any hearing on such motions to be set at the Court's discretion.
March 20, 2020	Deadline for parties to file a joint status report as to any remaining objections to declarations, deposition designations, witnesses, and exhibits.
March 24, 2020	Deadline for filing compilations of listed declarations and exhibits.
March 25, 2020	Deadline to deliver hard copy compilations of declarations and exhibits to the District of Puerto Rico courthouse for Judge Swain and USB drive or DVD containing properly marked and identified exhibits and an exhibit list for the Clerk's Office. ⁴
March 31, 2020 to April 1, 2020	Hearing on the 9019 Motion at 9:30 a.m. (Atlantic Standard Time) (the "9019 Hearing Date")

³ Supplemental exhibits identified shall be limited to those (i) that were created or otherwise first became available to the introducing party on or after the December 6, 2019 deadline to identify trial exhibits (the "December 6 Deadline"); or (ii) that have become material to the 9019 Hearing only as a result of new developments arising after the December 6 Deadline.

⁴ [https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury Evidence Recording System PROMESA_VS_MJB_MO.pdf](https://www.prd.uscourts.gov/promesa/sites/promesa/files/documents/23/Jury%20Evidence%20Recording%20System%20PROMESA_VS_MJB_MO.pdf)

2. Aside from as set forth above, prior deadlines and stipulations set forth in the *Fourth Revised Order Extending and Establishing Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement [ECF No. 1235]* (Docket Entry No. 1639 in Case No. 17-4780, the “Fourth Revised Order”), as amended by the *Sixth Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement* (Docket Entry No. 1684 in Case No. 17-4780), the *Seventh Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement* (Docket Entry No. 1716 in Case No. 17-4780) and the *Eighth Revised Order Modifying Certain Deadlines Applicable to the Joint Motion of Puerto Rico Electric Power Authority and AAFAF Pursuant to Bankruptcy Code Sections 362, 502, 922, and 928, and Bankruptcy Rules 3012(A)(1) and 9019 for Order Approving Settlements Embodied in the Restructuring Support Agreement* (Docket No. 1834 in Case No. 17-4780), shall govern.

3. This Order resolves Docket Entry No. 1844 in Case No. 17-4780 and Docket Entry No. 9659 in Case No. 17-3283.

SO ORDERED.

Dated: January 7, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge